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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 MICHAEL ROBERT PERSON, )  
10 )

11 Petitioner, )

12 vs. )

13 DWIGHT NEVEN, *et al.*, )

14 Respondents. )  
/

3:10-cv-00480-ECR-WGC

**ORDER**

15 This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a  
16 Nevada state prisoner who is represented by counsel. On March 14, 2012, this Court granted  
17 petitioner's motion to file an amended complaint and set deadlines for the filing of the amended  
18 complaint, the filing of an answer, and the filing of a reply. (ECF No. 34).

19 Through counsel, petitioner filed an amended complaint on March 29, 2012. (ECF No. 36).  
20 Respondents' answer to the amended petition was to be filed within forty-five days from the date of  
21 being served with the same. (ECF No. 34, at p. 3). To date, respondents have not filed an answer to  
22 the amended petition.

23 Respondents have, however, filed two motions. First, respondents filed a motion to file a late  
24 pleading. (ECF No. 37). In the declaration attached to the motion to file a late pleading, counsel for  
25 respondents explains that an error occurred with their office's scheduling system, causing counsel to  
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1 miss the deadline for filing an answer. (ECF No. 37-1). Good cause appearing, the motion to file a  
2 late pleading (ECF No. 37) is granted.

3 Second, respondents filed a motion for an extension of time to file an answer to the amended  
4 petition. (ECF No. 38). Counsel seeks an extension of time until June 18, 2012, to file an answer.  
5 (ECF No. 38-1). Good cause appearing, the motion is granted.

6 **IT IS THEREFORE ORDERED** that respondents' motion to file a late pleading (ECF No.  
7 37) and motion for an extension of time to file an answer (ECF No. 38) are **GRANTED**.

8 **IT IS FURTHER ORDERED** that respondents' answer to the amended petition shall be  
9 filed not later than **June 18, 2012**.

10 **IT IS FURTHER ORDERED** that all other provisions of this Court's March 14, 2012 order  
11 **REMAIN IN EFFECT**.

12 Dated this 17<sup>th</sup> day of May, 2012.

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14 UNITED STATES DISTRICT JUDGE  
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